

Regionalising the CFP: putting it all together

Having attended meetings in London, Brussels, Copenhagen and Edinburgh over the past few weeks – all concerned wholly or in part with regionalising the CFP – I have attempted to pull together some common denominators and to use these to set out a general proposal for a regionalised CFP in 2013.

Function The agreed purpose of regionalisation is to create the most appropriate form of fisheries management that will bring about sustainable fisheries across the very diverse common pond. This can be achieved, as the Green Paper insists, by establishing a clear hierarchy of decision making between the European institutions (Commission, Council and Parliament) and the MS through which detailed decision making, currently exercised by the Commission, is delegated to MS collectively at the regional level.

The European institutions would remain responsible for developing Community policy *viz* i) defining the principles and standards to be adopted in fisheries management throughout the EU fishing zone; ii) developing clear biological and ecological objectives for EU fisheries management; iii) describing a broad, long term strategy, including the setting of key reference points, milestones and end targets; and iv) monitoring and assessment of progress. The Commission will also remain responsible for setting multi-annual TACs (or equivalents), negotiating with third countries and developing priorities for the European Fisheries Fund post 2013.

MS, acting collaboratively and individually, will undertake responsibility for operationalising and implementing Community policy through a) development of regional strategies for fisheries management; b) long term stock recovery and management plans; c) approval of fishing plans (FPs) proposed by the industry; d) enactment of appropriate legislation; and e) monitoring and assessment of a) to d).

Scale Europe's regional seas (Baltic, North and Mediterranean), together with the north western and south western waters, as presently used in the geographical designation of RACs, provide a useful framework for regionalising the CFP, ie for translating Community policy into regional strategies and long term management plans, and for advancing the notion of an ecosystem based approach to fisheries management.

For highly migratory pelagic species, management plans will need to be formulated across two or more regions, while in the development of other management plans it may be necessary to organise these at a sub-regional scale. As far as possible, the boundaries for fisheries regions should be coherent with those used for other marine/maritime management purposes.

Organisation Regional management organisations (RMOs), established at the instigation of MS, will need to satisfy four main criteria. They must i) be efficient and effective in their use of scarce financial, human and scientific resources; ii) provide sufficient opportunity for stakeholders to exert their knowledge and experience; iii) be capable of reacting in a quick and timely fashion to changing circumstances; and iv) be able to realise binding agreements among participating MS as to the actions required.

Although their detailed architecture may vary from region to region, the model that best satisfies the four criteria is one where a strengthened RAC directs its advice to a standing

conference of MS fisheries administrations responsible for preparing the regional strategies and stock recovery and management plans and for monitoring their progress. While this model falls a little short in terms of 'good governance' (eg transparency, stakeholder participation in final decision making), it is likely to prove the more pragmatic, effective and timely form.

There are, at this stage, some doubts as to whether the fishing industries will be in a position to undertake responsibility for generating multi-annual or annual FPs, or indeed whether such plans should be organised at the species, fishery, sector, region or MS levels. It will be the RMO's responsibility, in consultation with the RAC and industry organisations, to determine how best to organise FPs so as to avoid the potentially dysfunctional effect of a proliferation of plans submitted by a diverse array of 'self-defining groups'.

Procedures The procedure outlined in the appendix to the Inquiry's Interim Report on the Future of the CFP[†] appears to risk not only delay in the implementation of Community policy but also a recurring cycle of political intervention. Initially, it may be considered necessary for the regional strategy to be approved by the European institutions, though this should be done on the presumption of assent, except where there is evidence that the strategy is in breach of Community policy (principles, standards, objectives or targets). Thereafter, the implementation process should, as far as possible, be self-regulating and subject to harvest rules that provide for automatic changes in level of fishing activity.

Time scales It seems logical for the system of regionalising the CFP, as outlined above, to be phased in over a period of three to four years *viz*

- 2012 agreement on a new basic Regulation setting out the framework for regionalisation.
- 2013 establishment of the RMO, strengthening of the RAC, engagement with best available science and memoranda of agreement between the key partners (RAC, RMO, scientific establishment and MS).
- 2014 agreement between MS on regional strategy and major long term management plans
- 2015 (or later) introduction of industry generated FPs.

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[†] *Footnote* The system outlined in the IFFM Interim Report envisages a multi-stage policy circuit involving: i) formulation of Community policy (Commission); ii) adoption by Council and Parliament; iii) translation into regional strategy etc (RMO); iv) approval of strategy etc by Commission, Council and Parliament; v) implementation of management plans (MS); vi) monitoring, assessment and enforcement of plans etc (MS).